

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 15

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MARLYN E. HAHN

Appeal No. 1999-2822
Application No. 09/103,449

ON BRIEF

Before BARRETT, LALL, and GROSS, Administrative Patent Judges.
GROSS, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection of claims 1 through 18, which are all of the claims pending in this application.

Appellant's invention relates to an electrical connector with grooves between terminal contacts. Claim 1 is illustrative of the claimed invention, and it reads as follows:

1. An electrical connector for receiving a mating electrical connector of the type having a plurality of spaced apart terminals, the electrical connector comprising:

a housing;

a substratum disposed in said housing and defining a surface;

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a plurality of spaced apart terminal contacts disposed on said surface of said substratum and terminating in a plurality of solder-tails, said terminal contacts corresponding in number to the plurality of terminals of the mating electrical connector, each of said terminal contacts having a contact surface that is raised from said substratum surface to define an elevated area wherein said contact surface extends the entire width of said elevated area; and

a channel formed in said substratum surface adjacent each of said terminal contacts.

The prior art references of record relied upon by the examiner in rejecting the appealed claims are:

Andrews, Jr. et al. (Andrews)	4,392,705	Jul. 12, 1983
Kourimsky et al. (Kourimsky) ¹	4,483,581	Nov. 20, 1984
Inaoka	5,380,225	Jan. 10, 1995

Claims 1 through 3, 6, 7, 9, and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Inaoka.

Claims 1 through 18 stand rejected under 35 U.S.C. § 103 as being unpatentable over Andrews in view of Inaoka.

Reference is made to the Examiner's Answer (Paper No. 8, mailed July 14, 1999) for the examiner's complete reasoning in support of the rejections, and to appellant's Brief (Paper No. 7, filed April 22, 1999) and Reply Brief (Paper No. 9, filed September 14, 1999) for appellant's arguments thereagainst.

OPINION

¹ This patent was not applied in the statement of the rejection of the claims but was referenced by the examiner in the explanation of the rejection.

We have carefully considered the claims, the applied prior art references, and the respective positions articulated by appellant and the examiner. As a consequence of our review, we will affirm the anticipation rejection of claims 1 through 3, 6, 7, 9, and 10 but reverse the obviousness rejection of claims 1 through 18.

Appellant (Brief, page 5) argues that Inaoka fails to disclose a channel or notch "*adjacent each* of said terminal contacts," as required by independent claims 1 and 6. More specifically, appellant explains (Brief, pages 5-6) that Inaoka includes terminal contacts in each body recess (or channel) as well as on each body projection, the terminal contacts in the body recesses do not have channels adjacent to them, and, therefore, there is not a channel or notch adjacent to each contact. Appellant thus concludes that Inaoka cannot anticipate the claims.

We agree with appellant that Inaoka includes contacts which are in the channels and not adjacent to channels. However, claims 1 and 6 do not preclude such contacts. Claim 1, for example, recites "a plurality of spaced apart terminal contacts disposed on said surface of said substratum" and "a channel formed in said substratum surface adjacent each of said terminal contacts." The contacts on the projections are a plurality of

spaced apart terminal contacts, and adjacent each of the aforementioned contacts is a channel. The channels need only be adjacent "said" contact terminals, wherein said contact terminals are the plurality. Within the channels is another plurality of terminal contacts which are not adjacent to channels. By using the word "comprising," appellant has allowed for the inclusion of a second plurality of terminal contacts such as those within the channels of Inaoka. Thus, we are unpersuaded by appellant's argument, and find that Inaoka meets the language of claims 1 and 6. As appellant has provided no further arguments regarding the anticipation rejection, we will sustain the rejection of claims 1 and 6 and the claims grouped therewith, claims 2, 3, 7, 9, and 10, over Inaoka.

In addition to the anticipation rejection discussed *supra*, the examiner has rejected all of the claims under 35 U.S.C. § 103 over Andrews in view of Inaoka. The examiner contends that Andrews includes all of the claim limitations except for the contact surface extending across the entire width of the elevated area, which appears in each of the independent claims. To remedy this deficiency, the examiner includes Inaoka, asserting (Answer, pages 6-7) that:

Although Inaoka is silent as to why the contact surface extends the entire width of the elevated area, it would have been obvious . . . to extend the contact surface to the entire width of the elevated area for the

purpose of providing a larger contact surface since it was known in the art that covering the entire width of the elevated area with a conductive element would provide a better contact surface and eliminate the terminal misregistration or misalignment during the insertion of the mating terminal.

However, as pointed out by appellant (Brief, pages 7-8), when the two portions of Andrews' connector come together, there is a close fit between the ribs and the opposing recesses. Thus, Andrews' connector has no problem with misregistration and, therefore, would not benefit from extending the contact terminal across the entire width of the elevated area. Accordingly, there is no motivation to combine the teachings of Inaoka with those of Andrews. Consequently, the examiner has failed to establish a *prima facie* case of obviousness, so we cannot sustain the obviousness rejection of claims 1 through 18.²

CONCLUSION

The decision of the examiner rejecting claims 1 through 3, 6, 7, 9, and 10 under 35 U.S.C. § 102 is affirmed. The decision of the examiner rejecting claims 1 through 18 under 35 U.S.C. § 103 is reversed. As at least one rejection has been affirmed for some but not all of the claims, the decision of the examiner is affirmed-in-part.

² We note that although we have found that Inaoka alone anticipates some of the claims, and thus would also render obvious the same claims, the combination of Andrews and Inaoka, as presented by the examiner, fails to render obvious any of the claims.

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No time period for taking any subsequent action in
connection with this appeal may be extended under 37 C.F.R.
§ 1.136(a).

AFFIRMED-IN-PART

LEE E. BARRETT)	
Administrative Patent Judge)	
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PARSHOTAM S. LALL)	BOARD OF PATENT
Administrative Patent Judge)	APPEALS
)	AND
)	INTERFERENCES
)	
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